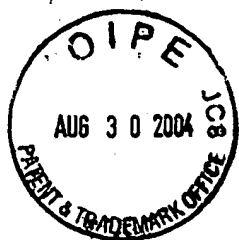


IFW



**THE BOC GROUP**  
**MEMORANDUM - LEGAL SERVICES**

*From:* Betty Lee

*Date:* February 5, 2004

*To:* Mike Wickham

*cc:*

*Re:* US Patent Application 10/699,131  
Filed: October 31, 2003  
Entitled: Method of Filling and Sealing  
Case: 98B112 (CIP2)

Dear Mike:

Enclosed is a Declaration attached to which is a copy of the subject application which was filed with the USPTO together with a copy of 37 CFR 1.56 referred to in the Declaration. Please have the inventor read the Declaration and if correct have the inventor sign the declaration.

I also enclose an Assignment. Please have the inventor sign and date the Assignment in the places provided. Please make sure that the Assignment is witnessed at the same time of signature.

I have attached a Power of Attorney and Correspondence Address Indication Form. Please have the inventor sign and date the power of attorney. Please return these documents at your earliest convenience.

Thank you for your assistance. If you have any questions, please let me know.

Regards,

Betty Lee  
IP Administrator-Assistant  
at 575 Mountain Ave.  
**Legal Services**  
Tel: (908) 771-6481  
Fax: (908) 771-6159  
E-mail: Betty.Lee@boc.com

**ASSIGNMENT**

**WHEREAS, I/We, Michael Ernest Garrett, a citizen of/ citizens of the United Kingdom, residing at 92 York Road, Woking, Surrey GU22 7XR, England, have invented certain new and useful improvements in METHOD OF FILLING AND SEALING for which I/We have made application for Letters Patent of the United States, which application may be identified in the United States Patent and Trademark Office as Serial No. 10/699,131, filed October 31, 2003; which application claims priority from US Patent Application 09/718,856, filed November 22, 2000, which application is a continuation-in-part of US Patent Application 09/283,551, filed April 1, 1999; and,**

**WHEREAS, The BOC Group plc, an English Company of Chertsey Road, Windlesham, Surrey GU20 6HJ, England, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:**

**NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me/us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I/WE, the said Michael Ernest Garrett have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said **The BOC Group plc**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the invention, the said improvements, and the said application, all applications derived therefrom and all continuing prosecution applications, conversions, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent or Inventor's Certificates which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent or Inventor's Certificates which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **The BOC Group plc**, its successors, legal representatives and assigns, in accordance with the terms of this instrument.**

**I/WE HEREBY covenant that I/We have full right to convey the entire interest herein assigned, and that I/WE have not executed, and will not execute, any agreement in conflict herewith.**

**AND I/WE HEREBY** further covenant and agree that I/We will communicate to the said **The BOC Group plc**, its successors, legal representatives and assigns, any facts known to me/us respecting said invention and said improvements, and testify in any legal proceeding, sign all lawful papers, execute all continuing prosecution, divisional, continuing, reexamination and reissue applications, make all rightful oaths, and generally do everything possible to aid the said **The BOC Group plc**, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said inventions and improvements in all countries.

---

Date

Assignor

Witnessed By:

---

Michael Ernest Garrett

---

At: \_\_\_\_\_



Lee, Betty

**From:** Lee, Betty  
**Sent:** Tuesday, March 30, 2004 1:05 PM  
**To:** Wickham, Mike  
**Subject:** RE: 98B112\_CIP-2

Mike:

We do not want to burden Mr. Garrett. If Mr. Garrett is able to make a mark (an "X"?), that would be fine. Otherwise, Phil will petition the USPTO explaining why the formal papers cannot be executed.

Regards,  
Betty

-----Original Message-----

**From:** Wickham, Mike  
**Sent:** Tuesday, March 30, 2004 10:48 AM  
**To:** Lee, Betty  
**Subject:** RE: 98B112\_CIP-2

Betty,

Thanks for the reminder on this. There is a certain problem. Mike Garrett has had a stroke. Although he is recovering well, he has lost the ability to write. He may be able to make a mark, but that is about it. What do we do?

Regards,

Mike

**Mike Wickham**

at Windlesham on extension 5524  
Associate Counsel - Intellectual Property

**Legal Services**

Tel: +44 (0)1276 807524  
Fax: +44 (0)1276 807785

Have you visited our new global intranet site - [http://bocweb13.group.boc.com/legal\\_global/](http://bocweb13.group.boc.com/legal_global/)

-----Original Message-----

**From:** Lee, Betty  
**Sent:** 30 March 2004 4:42 PM  
**To:** Wickham, Mike  
**Subject:** 98B112\_CIP-2

Mike:

Have you received back from Mike Garrett the assignment, declaration, and power of attorney forms which were mailed to you on February 5, 2004?

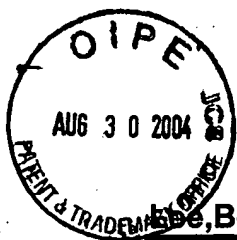
Thank you for your assistance.

Regards,  
Betty Lee

IP Administrator - Assistant  
Legal Services  
at 575 Bldg./Murray Hill on x: 6481  
☎: 908-771-6481  
📠: 908-771-6159

This e-mail message and all attachments contain the CONFIDENTIAL AND PROPRIETARY information of The BOC Group and may contain LEGALLY PRIVILEGED information. If you are not the intended recipient, you are hereby notified that any disclosure, distribution, or use of this e-mail, its attachments or any information contained therein is unauthorized and prohibited. If you have received this in error, please contact the sender immediately and delete this e-mail and any attachments.

Have you visited our new global intranet site - [http://bocweb13.group.boc.com/legal\\_global/](http://bocweb13.group.boc.com/legal_global/)



Lee, Betty

**From:** Lee, Betty  
**Sent:** Thursday, May 27, 2004 2:42 PM  
**To:** Wickham, Mike  
**Subject:** Case 98B112 (CIP-2) - US Patent Application 10/699,131 entitled Method of Filling and Sealing

Dear Mike:

Per our May 26, 2004, telephone conversation, you indicated that Mike Garrett would not be able to sign the declaration related to the subject patent application.

Because of Mr. Garrett's incapacity to sign the subject declaration, we will need the name, citizenship and residence of Mr. Garrett's legal representative (guardian or conservator) who has authority to sign the declaration on Mr. Garrett's behalf. Would you kindly provide me with that information as soon as possible so that we may prepare the necessary papers?

Thank you for your assistance in this matter.

Regards,  
Betty Lee  
IP Administrator - Assistant  
Legal Services  
at 575 Bldg./Murray Hill on x: 6481  
☎: 908-771-6481  
☎: 908-771-6159

This e-mail message and all attachments contain the CONFIDENTIAL AND PROPRIETARY information of The BOC Group and may contain LEGALLY PRIVILEGED information. If you are not the intended recipient, you are hereby notified that any disclosure, distribution, or use of this e-mail, its attachments or any information contained therein is unauthorized and prohibited. If you have received this in error, please contact the sender immediately and delete this e-mail and any attachments.

Visit us at - [http://bocweb13.group.boc.com/legal\\_global/](http://bocweb13.group.boc.com/legal_global/)